IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 2116 OF 2007
IN
APPEAL (LDG.) NO. 532 OF 2007
IN
SUIT NO. 782 OF 1986

Messers Eastern Exports
Enterprises. ... Appellant.

V/s.

The Board of Trustees of
Port of Bombay and others. ... Respondents.

K.K.Shroff i/b. Dhru & Co. for the appellant.

U.J.Makhija i/b. Mulla & Mulla for respondent No.1.

Ms.Saumya Srikrishna i/b. Kanga & Co. for respdt.No.2.

Ms.Sapna Bakale i/b. R.G.Sheth & Co.
for respondent Nos.3 and 4.

CORAM : DR.S.RADHAKRISHNAN
and V.C.DAGA, JJ.

DATED : 21st June 2007.

P.C. :

. Heard learned counsel for the appellant and learned counsel for the respondent.

2. By this notice of motion, appellant seeks to condone delay of 11 months and 35 days in filing appeal.

3. Perused notice of motion and affidavit in

support thereof. For the reasons stated therein sufficient cause is made out for condoning delay in filing appeal. There is no case of inaction, negligence or want of bonafide on the part of the appellant. Hence notice of motion is made absolute in terms of prayer clause (a). Office is directed to register the appeal during the course of the day.

(V.C.DAGA, J.) **(DR.S.RADHAKRISHNAN, J.)**